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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/050,249	01/16/2002	Horst Greiner	DE 010022	9227
24737	7590	03/01/2004	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			LEE, Y MY QUACH	
			ART UNIT	PAPER NUMBER
			2875	
DATE MAILED: 03/01/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/050,249

Applicant(s)

GREINER, HORST

Examiner

Y Quach Lee

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1, 2, 4-6, 9-14 and 20 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 3, 7, 8 and 15-19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION***Response to Arguments***

1. Applicant's arguments with respect to claims 7 and 8 filed November 26, 2003 have been fully considered but they are not persuasive. Claim 3 recites "wherein the **cavities** are coated with a **second reflecting layer** at their lower sides opposite to the upper sides" while claim 7, **depends** on claim 3, and recites "wherein the **second reflecting layer** extends over the side faces and a lower side of the **optical waveguide plate**". The second reflecting layer in claim 3 is referring to the reflecting layer 205 while the **same** second reflecting layer in claim 7 is referring to the reflecting layer 121. The second reflecting layer of claim 3 is **inconsistent** with the second reflecting layer of claim 7.

Claim Objections

2. Claims 3, 7, 8 and 15 to 19 are objected to because of the following formalities: In claim 3, 7 and 8, the second reflecting layer of claim 3 is inconsistent with the second reflecting layer of claims 7 and 8. In claim 3, the **cavities** are coated with the second reflecting layer while claim 7 **depends** on claim 3, recites that this same second reflecting layer extends over the side faces and a lower side of the **optical waveguide plate**. Claim 8 depends on objected claim 7 and as such is also objected. In claims 15 to 18, the second reflecting layer of claim 15 is inconsistent with the second reflecting layer of claims 16 to 18. In claim 15, the **cavities** are coated with the second reflecting layer while claim 16 **depends** on claim 15, recites this same second reflecting layer extends over the side faces and a lower side of the **optical waveguide plate**. Claims 17 and 18 depend on objected claim 16 and as such are also objected. Claim 19 depends on objected claim 15 and as such is also objected. Appropriate correction is required.

3. Claim 13 is allowed because the prior art does not teach the upper side of each cavity being coated with a first reflecting layer, the optical waveguide mixes the colors of the light sources to output a mixed color light through the light emission surface and the combination features as claimed in claim 13. Claims 14 and 20 further limit claim 13 and as such are also allowed.

4. Claims 1, 2, 4 to 6, 9 to 14 and 20 allowed.

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5. Claims 3, 7, 8 and 15 to 19 would be allowable if rewritten to overcome the objections set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kawano et al. is cited to show other pertinent optical waveguide plate having a plurality of cavities accommodating a plurality of colored light emitting diodes having coating reflective surfaces on the top surfaces of the diodes, and reflective surfaces on the sides and a lower side of the optical waveguide.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y Quach Lee whose telephone number is 571-272-2373. The examiner can normally be reached on Tuesday and Thursday from 8:30 am to 4:30 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Y. Q.
February 19, 2004



Y Quach Lee
Patent Examiner
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